



the **dtic**

Department:
Trade, Industry and Competition
REPUBLIC OF SOUTH AFRICA

THE TERMS OF REFERENCE

Invitation for bidders to review, maintain and enhance the business continuity management process and plan (BCMP) of the Department of Trade, Industry and Competition (*the dtic*) for a period of twelve (12) months.

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REQUEST FOR PROPOSALS

Invitation for bidders to review, maintain and enhance the business continuity management process and plan (BCMP) of the Department of Trade, Industry and Competition (*the dtic*) for a period of twelve (12) months.

NOTE: Should a bidder have a reason to believe that the specification / Terms of Reference are not open to promote competition or that it is written based on a particular brand / product / entity; the bidder shall notify the Bid Office of **the dtic** within ten (10) calendar days after publication of the bid.

1. PURPOSE

Invitation for bidders to review, maintain and enhance the business continuity management process and plan (BCMP) of the Department of Trade, Industry and Competition (*the dtic*) for a period of twelve (12) months

2. BACKGROUND

- 2.1. **The Disaster Management Act 16 of 2015** provides for an integrated and coordinated disaster management policy that focuses on preventing or reducing the risk of disasters, mitigating the severity of disasters, emergency preparedness, rapid and effective response to disasters and post-disaster recovery. The requirements of the above legislation are at serious risk of not being complied with due to the severely constrained environment in which the Chief Directorate operates.
- 2.2. **ISO 22301** defines best practice for business continuity management as being the four major components to a successful Business Continuity Management system (BCMS). These are management support, business impact analysis, risk assessment and having in place a Business Continuity Plan (BCP). The standard specifies standards for security and business requirements for disaster recovery preparedness and business continuity, to reduce the likelihood of, and ensure business recovery from disruptive incidents.

3. OBJECTIVES

- 3.1. The objective of this procurement is to capacitate the OCRO to provide business continuity management support to the department.
- 3.2. The BCMP coordinates recovery of critical business processes and systems in the event of a disruption or disaster occurring in the department, minimising disruption to business operations and ensuring continuity of the business.
- 3.3. Business Continuity Plans (BCPs) cover and plan for short and long-term disasters or other disruptions that may be caused by incidences such as pandemics, fire, floods, earthquakes, explosions, terrorism, tornadoes, extended power interruptions, hazardous chemical spills and other natural or man-made disasters.
- 3.4. Identify and mitigate risks that could impact business operations, including natural disasters, cyber-attacks, and supply chain disruptions.
- 3.5. Safeguard physical and digital assets, including data, infrastructure and human resources.

4. METHODOLOGY AND PROJECT PLAN

The bidder is expected to develop a detailed project plan and methodology to clearly outline and explain the approach to address the below scope of work

5. SCOPE OF WORK

The successful service provider will be responsible for performing the following activities/functions:

5.1. BCM Governance

- Review and update the BCM Policy
- Review of the existing disaster recovery plan, disaster management plan, evacuation plan and other associated plan, policies, and strategies
- Update business continuity strategy which must include, but not be limited to:
 - Key risks and mitigation measures;
 - Recovery team functions, roles and responsibilities of those individual who are assigned specific responsibilities, and procedures on how each team members are to be notified (emergency management team, disaster recovery team, IT technical services);

- Emergency recovery processes (emergency evacuation procedures, business continuity plan, communications priorities and processes);
- Business recovery processes;
- Team procedures which determine what activities and tasks are to be performed, in what order, and by whom, for successful recovery; and
- Appendices such as employee telephone list, recovery priorities for critical business functions, alternative site recover resources requirements etc.

5.2. Develop or update **Business Impact Assessment (BIA)** and the **BCPs**, which include, as a minimum:

- Critical business processes;
- Critical systems;
- Resources required;
- Impact of disruption;
- Critical service providers; and
- Recovery time objectives

5.3. Develop a **departmental BCP**

5.4. **Training and awareness**

- Training and awareness plan
- Develop training and awareness material
- Provide training to **the dtic** employees for 2 hours once per quarter on MS Teams
- Develop BCM awareness newsflashes and ensure quarterly circulation Department wide
- Develop postcard/flashcard for senior management and BCM custodians

5.5. **Testing of plans**

- Review and update the test strategy
- Develop test scenarios and test plans
- Coordinate the BCP tests in conjunction with Branches and IT
- Make revisions on the plans post the testing

- Document test results
- Analyse and present the results to the management committees.
- Improve the BCPs based on test results

6. DELIVERABLES

- 6.1. Updated BCM policy, strategy and plan.
- 6.2. Disaster recovery policy, strategy and plan.
- 6.3. Other associated plans and policies.
- 6.4. Updated and approved BIAs and BCPs and a high level BCP for the Department
- 6.5. Approved BIAs and BCPs
- 6.6. Test strategy
- 6.7. Test plans and test scenarios
- 6.8. Test reports
- 6.9. Amended BIAs and BCPs post the test
- 6.10. Training plan, attendance register and training evaluation forms
- 6.11. Training material and training slides
- 6.12. Communication Plan
- 6.13. Decision tree for Communication
- 6.14. Reports to Opscom, AC, ICT Steercom, RMC meetings, etc. at least every quarter
- 6.15. Awareness plan
- 6.16. Disaster Management Plan as required by the National Disaster Management Centre
- 6.17. recommendations on automation of the BCMS
- 6.18. BCMS posters/banners on the campus for awareness
- 6.19. Leaflets/handouts to senior management on steps during a disaster

7. EXPERIENCE AND QUALIFICATION

The service provider must meet the following criteria:

7.1. The Company

Minimum three-year demonstrable business continuity management experience and provide minimum 3 reference letters that is not more than 5 years old.

7.2. Team leader

- The team leader must possess five (5) to ten (10) years of experience in the required services.
- NQF level 6 in Business/Risk/ICT qualification.
- The team leader must have CBCI or BCCS.
- The team leader must have either Prince 2 or PM book certificate

7.3. Team member

Team members must collectively have a three (3) years' relevant Business/Risk/ICT degree/National Diploma (NQF6) qualification and with three to five years (3-5) of experience.

- 7.4. Bidders must submit comprehensive CVs of all proposed key team members in the following format: 1st column: Name & surname and ID number of the proposed team members; 2nd column: Relevant qualification(s) and courses successfully completed; 3rd column: number of years' relevant experience in numerical format; 4th column: projects to prove relevant experience and knowledge.

Name & surnames of the proposed team members with ID numbers	Relevant qualification(s) and courses completed	Number of years' relevant experience in <u>numerical</u> format (Only indicate the number of years performing this specific work/services).	Relevant projects to prove experience and knowledge

- 7.5. The proposal should demonstrate established processes for:

- Business impact analysis;
- Business Continuity Policy, processes, strategy, disaster management and BCM testing
- Must supply measures to identify continuity requirements analysis.

- 7.6. The bidding company must have 5 years' relevant experience in the development and implementation of business continuity management and plan.
- 7.7. In order to prove relevant experience, the bidding company must submit at least 3 projects where the bidder has developed and implemented business continuity management and plan. The projects must be listed in the table format below:

Name of Client	Scope of Work	Duration of Project
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- 7.8. Reference letters should be submitted for the above listed projects for evaluation purposes. Reference letters from former clients will be an added advantage.
- 7.9. The proposal should describe the capability of the resources proposed to meet the requirements described in the terms of reference. It is expected that the proposed team will include skills and experience in developing and implementing of business continuity management and plan.

NB: the dtic reserves the right to vet all documentation and information provided by bidders to prove their relevant experience and ability to perform the service.

8. DUE DILIGENCE

The bidder must have current technical and logistical capacity to perform the work required. **the dtic** reserves the right to perform due diligence on facilities, resources and capacity of a bidder prior to the appointment of a bidder.

9. SPECIAL CONDITION

- 9.1. A Service Level Agreement must be signed with the successful bidder before work commences. A contractual relationship will only commence once a Service Level Agreement is signed between the parties.
- 9.2. Proposed key team members must participate actively and be available to perform services in accordance with the contract. In instances where a proposed key team member is not available to perform services at a specific period in time, the bidder will be responsible to provide a replacement with the same experience and expertise in order to guarantee the same standard of work to **the dtic**. Each key team member's role must be clearly outlined in the project plan.

- 9.3. A project plan detailing the tasks, activities and target dates for the work to be undertaken should be submitted to **the dtic** within 10 working days after appointment of the successful service provider.
- 9.4. **the dtic** reserves the right to vet all documentation provided by bidders to prove relevant experience and expertise prior to the appointment of a Service Provider.
- 9.5. Copyright and intellectual property rights to all documentation, reports etc. that emanate from this assignment will vest with **the dtic**.
- 9.6. This bid and all contracts emanating there from will be subject to the General Conditions of Contract issued in accordance with Treasury Regulation 16A published in terms of the Public Finance Management Act, 1999 (Act 1 of 1999). Special Conditions of Contract are supplementary to that of the General Conditions of Contract. Not all bids will contain special conditions of contract. Where, however, the Special Conditions of Contract are in conflict with the General Conditions of Contract, the Special Conditions of Contract prevail.
- 9.7. Bids received after the closing date and time, at the e-mail address provided in the bid documents, will not be accepted for consideration and where possible, be returned unopened to the bidder.
- 9.8. Bidders are drawn to the fact that amendments to any of the Bid Conditions or setting of counter conditions by bidders may result in the invalidation of such bids.
- 9.9. **The dtic** reserves the right to conduct supplier due diligence prior to final award or at any time during the contract period. This may include site visits.
- 9.10. The bid office officials of **the dtic** may communicate with bidders where clarity is sought after the closing date of the bid and prior to the award of the contract, or to extend the validity period of the bid, if necessary.
- 9.11. All communication between the bidder and the Bid Office Officials of **the dtic** must be done in writing.
- 9.12. **The dtic** will halt the awarding of the bid to any preferred bidder who has not registered on the Central Database Supplier (CSD) as required by the National Treasury Prescript, until they are registered on the CSD. Bidders are required to furnish **the dtic** with the CSD as proof.
- 9.13. Bidders must ensure that their tax matters are in order in line with the Preferential Procurement Policy Framework Act and the Treasury Regulations.
- 9.14. In terms where the preferred bidder tax matters are not in order 7 (seven) days will

be given to the bidder to rectify their tax matters. Failure to do so will lead to disqualification of the bidder from the bid process as indicated in the National Treasury Prescript No 9 of 2017/2018

- 9.15. Bidders' attention is drawn to the tax requirements stated on the SBD 1 form
- 9.16. Where applicable acceptance of a bid will be subject to the condition that both the contracting firm and its personnel providing the service must be cleared by the appropriate authorities to the level of CONFIDENTIAL/SECRET/TOP SECRET (whichever one is stipulated in the relevant specification / ToR). Obtaining a positive recommendation is the responsibility of the contracting firm concerned. If the principal contractor appoints a subcontractor, the same provisions and measures will apply to the subcontractor. Acceptance of the bid is also subject to the condition that the contractor will implement all such security measures as the safe performance of the contract may require. (Minimum Information Security Standards, Chapter 5).
- 9.17. The points scored for functionality, price and preferential procurement points will be rounded off to the nearest 2 decimals.
- 9.18. In cases where above market related prices are quoted the right is reserved to negotiate with the three preferred bidders (three highest on final points for price and preferential procurement points).
- 9.19. Bidders to take note that the award of the bid may be subject to price negotiation with the preferred bidder.
- 9.20. This bid is subject to the PPPFA and its Regulations.
- 9.21. A trust, consortium or joint venture, will qualify for points for their preferential procurement points as a legal entity in line with the relevant **the dtic** 6 form(s).
- 9.22. Bidders must submit concrete proof of the existence of joint ventures and/or consortium arrangements. **the dtic** will accept signed agreements as acceptable proof of the existence of a joint venture and/or consortium arrangement.
- 9.23. The joint venture and/or consortium agreements must clearly set out the roles and responsibilities of the Lead Partner and the joint venture and/or consortium party. The agreement must also clearly identify the Lead Partner, who shall be given the power of attorney to bind the other party/parties in respect of matters pertaining to the joint venture and/or consortium arrangement.
- 9.24. Regulation 13 (c) of the Public Service Regulations 2016 determines that an employee shall not conduct business with an organ of state or be a director of a public

or private company conducting business with an organ of state unless such employee is in an official capacity a director of a company listed in schedule 2 and 3 of the Public Finance Management Act. As this regulation prohibits public service employees from conducting business with an organ of state; either in a personal capacity or as a director of a private or public company, non-compliance with this regulation will lead to automatic disqualification of a bid.

9.25. **the dtic** reserves the right to:

- 9.25.1. Award this tender to a bidder that did not score the highest total number of points, only in accordance with section 2(1)(f) of the PPPFA (Act 5 of 2000).
- 9.25.2. Negotiate with one or more preferred bidder(s) identified in the evaluation process, regarding any terms and conditions, including price without offering the same opportunity to any other bidder(s) who has not been awarded the status of the preferred bidder(s).
- 9.25.3. Carry out site inspections, product evaluations or explanatory meetings in order to verify the nature and quality of the services offered by the bidder(s), whether before or after adjudication of the Bid.
- 9.25.4. Cancel and/or terminate the tender process at any stage, including after the Closing Date and/or after presentations have been made, and/or after tenders have been evaluated and/or after the preferred bidder(s) have been notified of their status as such.
- 9.25.5. Bidders will be allowed to submit queries or request clarification up to one week prior to the closing date of this bid. Thereafter no queries / clarification requests will be responded to.
- 9.25.6. Incomplete pricing will lead to automatic disqualification as it will not be possible to compare the price with other bid prices.
- 9.25.7. Pricing in figures and pricing in words must be the same. Any discrepancy in these two will result in the pricing in figures will be deemed the bid price and will be used for comparison and contract purposes.
- 9.25.8. The service provider must not bill the dtic for any unproductive or duplicated time spent on any assignment, for any reason, including as a result of staff changes.
- 9.25.9. Parking and travel between the prospective bidder's home/office and the dtic will be borne by the bidder.

10. PRICE REQUIREMENTS

- 10.1. The bid price must be inclusive of VAT (if registered as a VAT vendor) and quoted in RSA currency.
- 10.2. The bid price must be an all-inclusive price that represent the total cost for the required services in line with the entire terms of reference which will be payable by **the dtic** to the appointed service provider upon satisfactory work delivery, in accordance with an agreed payment schedule which must be linked to set deliverables. The payment schedule will be stipulated in the Service Level Agreement (SLA).

11. the dtic OBLIGATIONS

- 11.1. **the dtic** Project Manager will serve as the contact person on all matters relating to the project.
- 11.2. **the dtic** Project Manager will review, evaluate and approve the services provided by the service provider against the SLA on an ongoing basis and prior to payment is made.
- 11.3. **the dtic** will supply all reasonable, relevant, available data and information required and requested by the service provider for the proper execution of the services and such assistance as shall reasonably be required by Service provider in carrying out their duties under this contract.

12. SERVICE PROVIDER'S OBLIGATION

- 12.1. The Service provider undertakes to act as an independent contractor in respect of the work.
- 12.2. To work closely with the Project Manager responsible for the project in **the dtic**.
- 12.3. Attend meetings when required by the Project Manager for the purposes of obtaining information or advice with regard to the work and assignments or any matters arising from or in connection therewith.
- 12.4. The Service provider will be responsible for its own computers and technical literature to adequately perform all the functions. Access to the building will be granted as agreed with the project manager.

- 12.5. The Service provider must exercise all reasonable skill, care and diligence in the execution of the work and shall carry out their obligation in accordance with professional standards.
- 12.6. The Service provider must in all professional matters act as a faithful advisor to **the dtic**, as well as respecting the laws and customs of any country and provinces in which any business in relation to the project is conducted.
- 12.7. All information availed to the Service provider in the course of the project must be deemed confidential and will remain the property of **the dtic**.
- 12.8. The service provider will be required to sign a confidentiality declaration form, undertaking to keep all the information at his/her disposal as a result of being awarded the contract by **the dtic** strictly confidential.
- 12.9. The service provider must not disseminate any information gathered during the conduct of the project, publicize or release media statements in relation to the assignment.
- 12.10. Any information gathered during the conduct of the assignment is the property of **the dtic** and may not be distributed without prior written approval of **the dtic**.
- 12.11. The service provider will be deemed to have been satisfied as to the correctness and sufficiency of the rates and prices set out in their bid for the services to be rendered.
- 12.12. The service provider must plan and provide for all possible risks that may affect the delivery of the project on time and indicate what mechanisms are in place to manage such risks.

13. **BID EVALUATION CRITERIA**

The 80/20 principle and **two folder / file** will apply in evaluating the proposals in accordance with the latest PP Regulations pertaining to the Preferential Procurement Policy Framework Act; Act no 5 of 2000. The reason for applying the **two folder / file system** is to ensure that price does not influence the evaluation of the functional proposals.

13.1. **Two folder System**

The two-folder system is based on the submission of the functional and financial proposals in two separate envelopes folders / file. **No financial information may be**

contained in the functional folder as this will lead to automatic disqualification.

Submission must be done as follows:

13.1.1. Functional Proposal

Service Providers must submit their functional/technical proposal folder / file via email to RFQs@thedtic.gov.za. The functional/technical proposal folder / file should only contain the functional/technical proposal, but NO financial information. Financial information in a functional proposal will lead to automatic disqualification of that specific proposal.

13.1.2. Financial proposal:

The financial proposal, SBD 1, 4, 3.3 and 6.1 forms as well as original / original certified copy of the BBBEE certificate or Affidavit must be submitted in a SEPARATE folder / file via email to FinancialProposals@thedtic.gov.za.

- **HID (Race, Women and People with disabilities)** - submit proof of disability (Letter from General Practitioner/specialist with regard to your disability is required to substantiate a claim).
- **Small Medium Micro Enterprises (SMME's)** - SARS return indicating annual turnover/ B-BBEE certificate/ CIPC B-BBEE certificate / Sworn Affidavit.
- **Local Procurement (Provincial / Municipal)** - proof of address (municipal rates/ bank statements/ lease agreement / affidavit etc.).
- **B-BBEE compliance based on Section 10 of the B-BBEE Act (Act 53 of 2003 as amended by Act 46 of 2013)** - B-BBEE certificate/ CIPC B-BBEE certificate / sworn Affidavit

Failure on the part of a service provider to submit proof or documentation required in terms of this RFQ to claim points for specific goals with the RFQ, will be interpreted to mean that preference points for specific goals are not claimed.

13.2. All proposals will be evaluated in terms of the two-phase process once the pre-

qualifying of bids received is done. All bid proposals received are subject to a pre-qualification process to determine compliance with compulsory requirements/conditions. All bids that pass the pre-qualification process will then be evaluated as follows:

13.2.1. First phase: Functional evaluation:

This evaluation is based on the functional proposal submitted in envelope one (functional envelope). For this phase, there is a cut-off score of 60% and only the proposals that score 60% and above during the functional evaluation will be considered during the second phase of evaluation.

13.2.2. Second phase: Price and Specific Goals:

During the second phase all Bids that scored 60% and above during the functional evaluation will be considered for the second phase where points will be calculated for price and specific goals in accordance with the PP Regulations pertaining to the Preferential Procurement Policy Framework Act, act no 5 of 2000 (PP Regulations, 2022).

13.2.2.Key scores

Score	Description
0 – Non-compliant	No evidence provided to substantiate compliance
1 – Poor	Unacceptable, does not meet set requirements
2 – Average	Reasonable but not sufficient to fully satisfy the set requirements
3 – Good	Fully complies to the set minimum requirements
4 – Very Good	Above average compliance to the set requirements
5 – Excellent	Meets and exceeds the set requirements

Phase 1: Functional Evaluation

No.	Criteria	Scoring Criteria	Weighting
1.	Qualification		
1.1.	The team leaders' qualifications Business/Risk/ICT qualification	5 = Master's degree or above (NQF level 9), CBCI/BCCS certificate 4 = Honours (NQF level 8) 3 = A degree or B Tech (NQF level 7) 2 = A three-year diploma (NQF level 6) 1 = A two-year diploma or certificate (NQF level 5) 0= No Qualifications	10
1.2.	The team members qualifications	5 = Master's degree or above (NQF level 9) 4 = Honours (NQF level 8) 3 = A degree or B Tech (NQF level 7) 2 = A three-year diploma (NQF level 6) 1 = A two-year diploma or certificate (NQF level 5)	10

No.	Criteria	Scoring Criteria	Weighting
		0= No Qualifications	
2.	Experiences and number of years performing service		
2.1.	Team leader experience from 5 companies where BCM work was undertaken in line with the scope of this assignment (10)	5= more than 5 years 4= 4 years 3= 3 years 2= 2 years 1= 1 years 0= No experience	10
2.2.	Team members experience	5= more than 5 years 4= 4 years 3= 3 years 2= 2 years 1= 1 years 0= No experience	20
2.3.	Company experience	5= more than 5 years 4= 4 years 3= 3 years 2= 2 years 1= 1 years 0= No experience	10

No.	Criteria	Scoring Criteria	Weighting
3.	Confirmation of experience for the company (Reference letters, not older than 5 years) from where BCM work was undertaken in line with the scope of this assignment	5= 5 or more including public service 4= 4 reference letters 3= 3 reference letters 2= 2 reference letters 1= 1 reference letter 0= No reference letter	10
1.5.	Methodology and project plan (milestones and timelines)	Level of detail and innovation	30
	TOTAL		100
	MINIMUM THRESHOLD		60%

Bidders are required to submit evidence / documentation under annexures a - f, per criteria, as stipulated under annexures a-f for evaluation purposes to substantiate compliance to set criteria. If the evidence for a specific criterion is not found under the relevant annexure it will be deemed as not provided / non-compliant and evaluated and scored accordingly.

Phase 2: Price and Preference Points

	<u>80/20 PRINCIPLE</u>	POINTS
1	<u>Price</u>	80
2	<u>Specific Goals (Refer to SBD 6.1)</u>	20
	MAXIMUM POINTS	100

14. CONTRACTUL PERIOD

The contract is for a period of twelve (12) months. Bidders must please take note that no contract will come into existence before the SLA is agreed to and is signed by both parties.

15. SUBMISSION AND CONTACT DETAILS

Proposals must be received by no later than *ten calendar days*

15.1. Functional Proposal

Folder/file to be emailed to RFQs@thedtic.gov.za. This file should only contain the functional/technical proposal, but Not financial information.

15.2. Financial proposal:

The financial proposal folder must be emailed to FinancialProposals@thedtic.gov.za and should contain SBD1, 3.3, 4 and 6.1 forms as well as original certified copy of the BBBEE or Affidavit

FAILURE TO COMPLY WITH THE TWO FOLDER/FILE REQUIREMENT WILL AUTOMATICALLY INVALIDATE THE PROPOSAL.

16. Please direct all technical questions to:

Ms. Salomy Perumal

Chief Risk Officer: the dtic

E-mail address: SPerumal@thedtic.gov.za

CLOSING DATE: 09 MAY 2025



the dtic

Department:
Trade, Industry and Competition
REPUBLIC OF SOUTH AFRICA

REQUEST FOR PRICE QUOTATION

For office use only:

Reference No:	BCM/OCRO/09/2025
Date RFQ Issued:	29 April 2025

Request for Quotation on behalf of the Department of Trade, Industry and Competition (the dtic)

The dtic hereby invites suitable service providers to provide the department with a quotation in accordance with requirements as per Annexure A, or in accordance with the Terms of Reference (Scope of work).

Service Provider Details

To be completed by the service provider:

Name of service provider	
CSD service provider Number	MAAA
Contact person	
Email address	
Telephone number	

Enquiry and Closing Details

For office use only:

Contact person	Salomy Perumal
E-mail address	SPerumal@thedtic.gov.za
Telephone number	012 394 1812
Closing date and time for quotation	Monday, 09 May 2025 @ MIDNIGHT
Quotations to be e-mailed to the dtic provided email	Refer to TOR

Terms and Conditions

1. Quotations should be dated and signed preferably on the company's letterhead.
2. Quotations received after the closing date and time will not be considered.
3. Quotations received will be evaluated firstly on pre-compliance evaluation, then on functionality evaluation (IF APPLICABLE), and thereafter 80/20 point scoring basis. The 80 points will be for price and 20 points for preferential procurement specific goals.
4. No quotation will be considered from service providers employed by the state.
5. **Quotations should be valid for a minimum period of 60 days from the date the RFQ closed.**
6. All prices quoted must be VAT inclusive, service providers not registered for VAT must indicate this clearly on their quotation. For VAT vendors, if no indication is provided quotations will be evaluated as VAT inclusive.
7. **The attached SBD 1, SBD 4, RFQ with POPIA consent form must be completed in full and submitted together with the quotation.**
8. Bidders who wish to claim for preferential procurement points applicable to this RFQ must ensure that the SBD 6.1 claim form is completed and accompanied by the relevant proof required. Failure on the part of the bidder to complete table 1 of SBD 6.1, it will be interpreted to mean that preference points for specific goals are not claimed irrespective of the relevant proofs attached.
HDI(Race, Women and People with disabilities)
 - Submit proof of disability (Letter from General Practitioner/specialist with regard to your disability is required to substantiate a claim)
 - Proof of Race and women-attach latest CSD report**Small Medium Micro Enterprises (SMME's)**
 - Sars return indicating annual turnover/ B-BBEE certificate/ CIPC B-BBEE certificate / Sworn Affidavit fully completed as per B-BBEE guide paragraph 17



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Department:
Trade, Industry and Competition
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Local Procurement (Provincial / Municipal)

- Proof of address (municipal rates/ bank statements/ lease agreement / affidavit **or any latest statement not older than three months containing proof of address**)

B-BBEE compliance based on Section 10 of the B-BBEE Act (Act 53 of 2003 as amended by Act 46 of 2013)

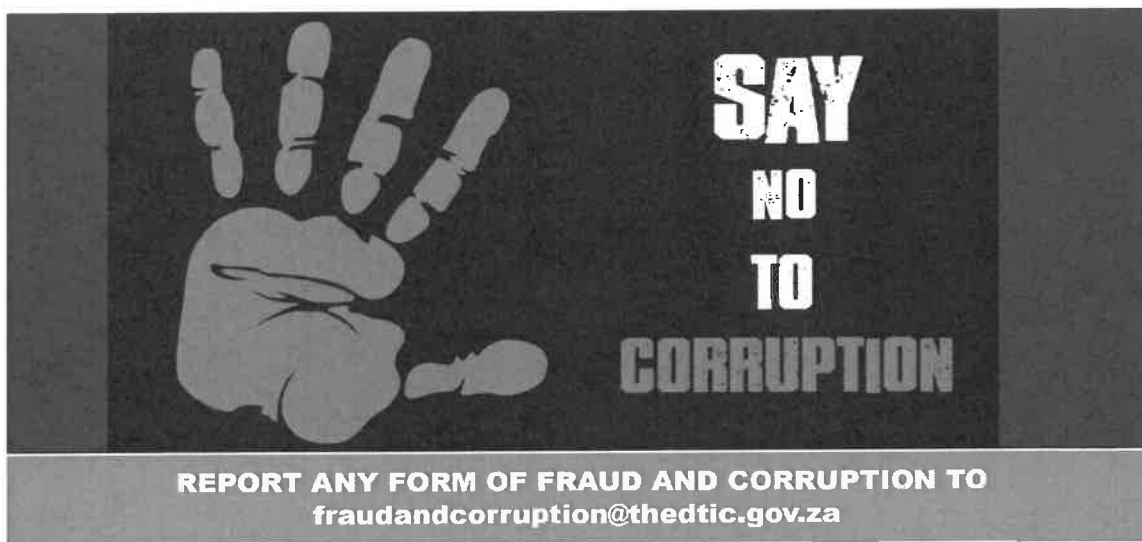
- B-BBEE certificate/ CIPC B-BBEE certificate / sworn Affidavit **fully** completed as per BBBEE guide paragraph 17

9. ***Failure on the part of a service provider to submit proof or documentation required in terms of this RFQ to claim points for specific goals with the RFQ, will be interpreted to mean that preference points for specific goals are not claimed.***
10. Service providers who wish to render services to **the dtic** must register on CSD and ensure banking details are verified.
11. All prices quoted **MUST** be firm for the duration of the contract. Where Rate of Exchange is applicable, conditions must be stipulated on the quotation.
12. All quotations must be strictly in accordance with Annexure A.
13. **the dtic** reserves the right to appoint more than one service provider as deemed necessary, furthermore the department reserves the right not to appoint.
14. Price offered by the service provider scoring the highest points must be reasonable and market related

Please note:

EVALUATION CRITERIA

- Quotations will be evaluated based on the 80/20 preference, where 80/20 principle will apply to all procurement with a rand value of up to R50 million (all applicable taxes included)¹. 80 Points will be allocated for price and 20 points will be used for preferential procurement in line with the specific goals.
- Refer to SBD 6.1 form for specific goals
- Contract will be awarded to the bidder who scores the highest total points²
- This RFQ is in line with the PREFERENTIAL PROCUREMENT REGULATION 2022



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the dtic - together, growing the economy
the dtic Customer Contact Centre: 0861 843 384
the dtic Website: www.thedtic.gov.za



¹ "all applicable taxes" includes value-added tax, pay as you earn, income tax, unemployment insurance fund contributions and skills development levies;

² "highest total points" equals the point scored for price added to the points for preferential procurement and RDP goals.



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REPUBLIC OF SOUTH AFRICA

POPIA CONSENT FORM

The Bidder and the proposed team/ individuals proposed by the Bidding entity to perform work in line with the requirements stipulated in this request for quotation(RFQ) document, hereby give their consent to **the dtic** and its Officials involved in the evaluation / recommendation / award / drafting of SLA / verification of submissions, processing of purchase orders and invoices, to process our personal information for all purposes related to this request for quotation (RFQ) process and possible subsequent contract, in accordance with the provisions of the Protection of Personal Information (POPI) Act, 2013 (Act no. 4 of 2013) & Protection of Information Act, 1982 (Act no. 84 of 1982),

.....
Signature

.....
Date

.....
Position

.....
Name of bidder



Department:
Trade, Industry and Competition
REPUBLIC OF SOUTH AFRICA

ANNEXURE A

REQUEST FOR PROPOSALS

Invitation of bidders for the provision of Anti-Corruption and Fraud Prevention services to the Department of Trade, Industry and Competition (***the dtic***) for a period of twelve (12) months.

Item No	Number of Units	Item description	Unit Price
1	1	REFER TO ATTACHED TOR	
		Total excluding VAT	
		VAT @ 15% if applicable	
		TOTAL INCLUDING VAT	

Company Name

Signature _____

Date _____

PART A INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (DEPARTMENT OF TRADE, INDUSTRY AND COMPETITION)					
BID NUMBER:	BCM/OCRO/09/2025	CLOSING DATE: 09 MAY 2025	CLOSING TIME:	MIDNIGHT	
DESCRIPTION	Invitation for bidders to review, maintain and enhance the business continuity management process and plan (BCMP) of the Department of Trade, Industry and Competition (<i>the dtic</i>) for a period of twelve (12) months				
BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)					
Service providers must submit their functional/technical proposal folder / file via email to RFQs@thedtic.gov.za The functional/technical proposal folder / file should only contain the functional/technical proposal, but NO financial information. Financial information in a functional proposal will lead to automatic disqualification of that specific proposal. The financial proposal, SBD 1, 4, 3.3 and 6.1 forms as well as original / original certified copy of the BBBEE certificate or Affidavit must be submitted in a SEPARATE folder / file via email to FinancialProposals@thedtic.gov.za					
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO			TECHNICAL ENQUIRIES MAY BE DIRECTED TO:		
CONTACT PERSON			CONTACT PERSON		
TELEPHONE NUMBER			TELEPHONE NUMBER		
FACSIMILE NUMBER			FACSIMILE NUMBER		
E-MAIL ADDRESS			E-MAIL ADDRESS		
SUPPLIER INFORMATION					
NAME OF BIDDER					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER	CODE		NUMBER		
CELLPHONE NUMBER					
FACSIMILE NUMBER	CODE		NUMBER		
E-MAIL ADDRESS					
VAT REGISTRATION NUMBER					
SUPPLIER COMPLIANCE STATUS	TAX COMPLIANCE SYSTEM PIN:		OR	CENTRAL SUPPLIER DATABASE No:	MAAA
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE	TICK APPLICABLE BOX] ☐ Yes ☐ No		B-BBEE STATUS LEVEL SWORN AFFIDAVIT ☐ Yes ☐ No		[TICK APPLICABLE BOX] ☐ Yes ☐ No
[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT (FOR EMES & QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]					
ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?	☐ Yes ☐ No [IF YES ENCLOSE PROOF]		ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?		☐ Yes ☐ No [IF YES, ANSWER THE QUESTIONNAIRE BELOW]
QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS					
IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?					☐ YES ☐ NO
DOES THE ENTITY HAVE A BRANCH IN THE RSA?					☐ YES ☐ NO
DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA?					☐ YES ☐ NO

DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA?

☐ YES ☐ NO

IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION?

☐ YES ☐ NO

IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO REGISTER FOR A TAX COMPLIANCE STATUS SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 BELOW.

PART B

TERMS AND CONDITIONS FOR BIDDING

1. BID SUBMISSION:
1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.
1.2. ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED–(NOT TO BE RE-TYPED) OR IN THE MANNER PRESCRIBED IN THE BID DOCUMENT.
1.3. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT, 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.
1.4. THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).
2. TAX COMPLIANCE REQUIREMENTS
2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.
2.2 BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VERIFY THE TAXPAYER'S PROFILE AND TAX STATUS.
2.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) PIN MAY BE MADE VIA E-FILING THROUGH THE SARS WEBSITE WWW.SARS.GOV.ZA .
2.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.
2.5 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.
2.6 WHERE NO TCS PIN IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.
2.7 NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE, COMPANIES WITH DIRECTORS WHO ARE PERSONS IN THE SERVICE OF THE STATE, OR CLOSE CORPORATIONS WITH MEMBERS PERSONS IN THE SERVICE OF THE STATE."

NB: FAILURE TO PROVIDE / OR COMPLY WITH ANY OF THE ABOVE PARTICULARS MAY RENDER THE BID INVALID.

SIGNATURE OF BIDDER:

.....

CAPACITY UNDER WHICH THIS BID IS SIGNED:

.....

(Proof of authority must be submitted e.g. company resolution)

DATE:

.....

PRICING SCHEDULE
(Professional Services)

NAME OF BIDDER:RFQ NO. **BCM/OCRO/09/2025**

CLOSING TIME **MIDNIGHT**

CLOSING DATE: **09 MAY 2025**

OFFER TO BE VALID FOR **60** DAYS FROM THE CLOSING DATE OF RFQ.

NB! PLEASE TAKE NOTE THAT PRICING/FINANCIALS MUST NOT BE IN THE FUNCTIONAL PROPOSAL FOLDER/FILE. FINANCIAL INFORMATION MUST ONLY BE SUBMITTED IN THE FINANCIAL PROPOSAL FOLDER/FILE, WHICH MUST BE SUBMITTED IN A SEPARATE FOLDER/FILE. FAILURE TO COMPLY HEREWITH WILL LEAD TO AUTOMATIC DISQUALIFICATION.

ITEM NO (INCLUDED)	DESCRIPTION	BID PRICE IN RSA CURRENCY		
		** (ALL APPLICABLE TAXES)		

REQUEST FOR PROPOSALS

Invitation for bidders to review, maintain and enhance the business continuity management process and plan (BCMP) of the Department of Trade, Industry and Competition (*the dtic*) for a period of twelve (12) months

1. Prices must be quoted in RSA currency and include VAT.
2. Travel and accommodation costs which will be paid in line with National Treasury prescripts as and when required.
3. KEY STAFF AND POSITION Hourly rates

		R		/hour
		R		/hour
		R		/hour
4. Period required for commencement with project after acceptance of bid: _____
5. Is the hourly rate quoted **fixed** for the full period of the contract? **YES / NO (delete the one that is not applicable)**
6. ****Compliance with National Treasury Instruction on Cost Containment:
 - 7.1 Air Travel will be restricted at Economy Class.
 - 7.2 Claims for kilometers may not exceed the rates approved by the Automobile Association of South Africa / the monthly rates published by the Department of Transport.
 - 7.3 Accommodation – R1350 per night, per person, including breakfast, dinner and parking (or as amended by National Treasury).
 - 7.4 Parking expenses will not be for the **dtic's** account.
 - 7.5 Travelling costs and time spent or incurred between the home and office of the consultants, including their staff and the **dtic** head office will not be for the account of the **dtic**.
 - 7.6 Travel and accommodation requirements must be pre-approved by the Chief Director HR & LC of the **dtic**.

*** all applicable taxes" includes value-added tax, pay as you earn, income tax, unemployment insurance fund contributions and skills development levies. ***Expenses*

Name of Bidder:

.....

BIDDERS WHO SUBMIT FINANCIAL PROPOSALS BASED ON NON-FIRM PRICES WILL AUTOMATICALLY BE DISQUALIFIED

BIDDER'S DISCLOSURE

1. PURPOSE OF THE FORM

Any person (natural or juristic) may make an offer or offers in terms of this invitation to bid. In line with the principles of transparency, accountability, impartiality, and ethics as enshrined in the Constitution of the Republic of South Africa and further expressed in various pieces of legislation, it is required for the bidder to make this declaration in respect of the details required hereunder.

Where a person/s are listed in the Register for Tender Defaulters and / or the List of Restricted Suppliers, that person will automatically be disqualified from the bid process.

2. Bidder's declaration

- 2.1 Is the bidder, or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest¹ in the enterprise, employed by the state? **YES/NO**

- 2.1.1 If so, furnish particulars of the names, individual identity numbers, and, if applicable, state employee numbers of sole proprietor/ directors / trustees / shareholders / members/ partners or any person having a controlling interest in the enterprise, in table below.

¹ the power, by one person or a group of persons holding the majority of the equity of an enterprise, alternatively, the person/s having the deciding vote or power to influence or to direct the course and decisions of the enterprise.

SBD4

Full Name	Identity Number	Name of State institution

2.2 Do you, or any person connected with the bidder, have a relationship with any person who is employed by the procuring institution? **YES/NO**

2.2.1 If so, furnish particulars:

.....
.....

2.3 Does the bidder or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest in the enterprise have any interest in any other related enterprise whether or not they are bidding for this contract? **YES/NO**

2.3.1 If so, furnish particulars:

.....
.....

3 DECLARATION

I,(name and surname) the undersigned, in submitting the accompanying bid, do hereby make the following statements that I certify to be true and complete in every respect:

- 3.1 I have read and I understand the contents of this disclosure;
- 3.2 I understand that the accompanying bid will be disqualified if this disclosure is found not to be true and complete in every respect;
- 3.3 The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However, communication between partners in a joint venture or consortium² will not be construed as collusive bidding.
- 3.4 In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications, prices, including methods, factors or formulas used to calculate prices, market allocation, the intention or decision to submit or not to submit the bid, bidding with the intention not to win the bid and conditions or delivery particulars of the products or services to which this bid invitation relates.
- 3.5 The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.
- 3.6 There have been no consultations, communications, agreements or arrangements made by the bidder with any official of the procuring

² Joint venture or Consortium means an association of persons for the purpose of combining their expertise, property, capital, efforts, skill and knowledge in an activity for the execution of a contract.

institution in relation to this procurement process prior to and during the bidding process except to provide clarification on the bid submitted where so required by the institution; and the bidder was not involved in the drafting of the specifications or terms of reference for this bid.

- 3.7 I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and or may be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No 12 of 2004 or any other applicable legislation.

I CERTIFY THAT THE INFORMATION FURNISHED IN PARAGRAPHS 1, 2 and 3 ABOVE IS CORRECT.

I ACCEPT THAT THE STATE MAY REJECT THE BID OR ACT AGAINST ME IN TERMS OF PARAGRAPH 6 OF PFMA SCM INSTRUCTION 03 OF 2021/22 ON PREVENTING AND COMBATING ABUSE IN THE SUPPLY CHAIN MANAGEMENT SYSTEM SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....
Signature

.....
Date

.....
Position

.....
Name of bidder

PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2022

This preference form must form part of all tenders invited. It contains general information and serves as a claim form for preference points for specific goals.

NB: BEFORE COMPLETING THIS FORM, TENDERERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF THE TENDER AND PREFERENTIAL PROCUREMENT REGULATIONS, 2022

1. GENERAL CONDITIONS

1.1 The following preference point systems are applicable to invitations to tender:

- the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included); and
- the 90/10 system for requirements with a Rand value above R50 000 000 (all applicable taxes included).

1.2 **To be completed by the organ of state**

(delete whichever is not applicable for this tender).

- a) The applicable preference point system for this tender is the 90/10 preference point system.
- b) The applicable preference point system for this tender is the 80/20 preference point system.
- c) Either the 90/10 or 80/20 preference point system will be applicable in this tender. The lowest/ highest acceptable tender will be used to determine the accurate system once tenders are received.

1.3 Points for this tender (even in the case of a tender for income-generating contracts) shall be awarded for:

- (a) Price; and
- (b) Specific Goals.

1.4 **To be completed by the organ of state:**

The maximum points for this tender are allocated as follows:

	POINTS
PRICE	80
SPECIFIC GOALS	20
Total Points for Price and SPECIFIC GOALS	100

- 1.5 Failure on the part of a tenderer to submit proof or documentation required in terms of this tender to claim points for specific goals with the tender, will be interpreted to mean that preference points for specific goals are not claimed.
- 1.6 The organ of state reserves the right to require of a tenderer, either before a tender is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the organ of state.

2. DEFINITIONS

- (a) **“tender”** means a written offer in the form determined by an organ of state in response to an invitation to provide goods or services through price quotations, competitive tendering process or any other method envisaged in legislation;
- (b) **“price”** means an amount of money tendered for goods or services, and includes all applicable taxes less all unconditional discounts;
- (c) **“rand value”** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;
- (d) **“tender for income-generating contracts”** means a written offer in the form determined by an organ of state in response to an invitation for the origination of income-generating contracts through any method envisaged in legislation that will result in a legal agreement between the organ of state and a third party that produces revenue for the organ of state, and includes, but is not limited to, leasing and disposal of assets and concession contracts, excluding direct sales and disposal of assets through public auctions; and
- (e) **“the Act”** means the Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000).

3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

3.1. POINTS AWARDED FOR PRICE

3.1.1 THE 80/20 OR 90/10 PREFERENCE POINT SYSTEMS

A maximum of 80 or 90 points is allocated for price on the following basis:

80/20	or	90/10
$Ps = 80 \left(1 - \frac{Pt - P_{min}}{P_{min}} \right) \text{ or } Ps = 90 \left(1 - \frac{Pt - P_{min}}{P_{min}} \right)$		

Where

- Ps = Points scored for price of tender under consideration
- Pt = Price of tender under consideration
- Pmin = Price of lowest acceptable tender

3.2. FORMULAE FOR DISPOSAL OR LEASING OF STATE ASSETS AND INCOME GENERATING PROCUREMENT

3.2.1. POINTS AWARDED FOR PRICE

A maximum of 80 or 90 points is allocated for price on the following basis:

$$\begin{array}{ccc} 80/20 & \text{or} & 90/10 \\ P_s = 80 \left(1 + \frac{P_t - P_{\max}}{P_{\max}} \right) & \text{or} & P_s = 90 \left(1 + \frac{P_t - P_{\max}}{P_{\max}} \right) \end{array}$$

Where

- P_s = Points scored for price of tender under consideration
 P_t = Price of tender under consideration
 $P_{\max}$ = Price of highest acceptable tender

4. POINTS AWARDED FOR SPECIFIC GOALS

- 4.1. In terms of Regulation 4(2); 5(2); 6(2) and 7(2) of the Preferential Procurement Regulations, preference points must be awarded for specific goals stated in the tender. For the purposes of this tender the tenderer will be allocated points based on the goals stated in table 1 below as may be supported by proof/ documentation stated in the conditions of this tender:
- 4.2. In cases where organs of state intend to use Regulation 3(2) of the Regulations, which states that, if it is unclear whether the 80/20 or 90/10 preference point system applies, an organ of state must, in the tender documents, stipulate in the case of—
- (a) an invitation for tender for income-generating contracts, that either the 80/20 or 90/10 preference point system will apply and that the highest acceptable tender will be used to determine the applicable preference point system; or
 - (b) any other invitation for tender, that either the 80/20 or 90/10 preference point system will apply and that the lowest acceptable tender will be used to determine the applicable preference point system,
- then the organ of state must indicate the points allocated for specific goals for both the 90/10 and 80/20 preference point system.

Table 1: Specific goals for the tender and points claimed are indicated per the table below.

(Note to organs of state: Where either the 90/10 or 80/20 preference point system is applicable, corresponding points must also be indicated as such.

Note to tenderers: The tenderer must indicate how they claim points for each preference point system.)

The specific goals allocated points in terms of this tender	Number of points allocated (90/10 system) (To be completed by the organ of state)	Number of points allocated (80/20 system) (To be completed by the organ of state)	Number of points claimed (90/10 system) (To be completed by the tenderer)	Number of points claimed (80/20 system) (To be completed by the tenderer)
HDI (Race / Women/ People with disability)		2		
Local Procurement		6		
SMME's		2		
B-BBEE		10		

DECLARATION WITH REGARD TO COMPANY/FIRM

4.3. Name of company/firm.....

4.4. Company registration number:

4.5. TYPE OF COMPANY/ FIRM

Partnership/Joint Venture / Consortium

One-person business/sole propriety

Close corporation

Public Company

Personal Liability Company

(Pty) Limited

Non-Profit Company

State Owned Company

[TICK APPLICABLE BOX]

4.6. I, the undersigned, who is duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the specific goals as advised in the tender, qualifies the company/ firm for the preference(s) shown and I acknowledge that:

- i) The information furnished is true and correct;
- ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
- iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 4.2, the contractor may be required to furnish documentary proof to the satisfaction of the organ of state that the claims are correct;
- iv) If the specific goals have been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the organ of state may, in addition to any other remedy it may have –
 - (a) disqualify the person from the tendering process;
 - (b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
 - (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
 - (d) recommend that the tenderer or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and
 - (e) forward the matter for criminal prosecution, if deemed necessary.

.....
SIGNATURE(S) OF TENDERER(S)

SURNAME AND NAME:

DATE:

ADDRESS:

.....

.....

.....